

GAHC010008852025



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THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WA/59/2025

RINA DAS
W/O NARAYAN DAS, VILL-KHUTABARI, P.O.-BAGDOBA, DIST-GOALPARA,
ASSAM, PIN-783123

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, SOCIAL WELFARE DEPARTMENT, DISPUR, GUWAHATI-6

2:THE DIRECTORM OF SOCIAL WELFARE DEPARTMENT
ASSAM
UZANBAZAR
GUWAHATI-1

3:THE DISTRICT SOCIAL WELFARE OFFICER
SOCIAL WELFARE DEPARTMENT
DIST-GOALPARA
ASSAM

4:THE SELECTION COMMITTEE FOR THE SELECTION OF ANGANWADI
WORKER
DUDHNOI ICDS PROJECT
RANGJULI
P.O.-RANGJULI
DIST-GOALPARA
ASSAM

5:THE CHILD DEVELOPMENT PROJECT OFFICER
DUDHNOI ICDS PROJECT
RANGJULI
P.O.-RANGJULI

DIST-GOALPARA
ASSAM

6:SMTI CHANDRMA KALITA

D/O BIREN KALITA
W/O RAKESH SARKAR
VILL-KHUTABARI
P.O.-BAGDOBA
DIST-GOALPARA
ASSAM
PIN-78312

For the appellant/petitioner(s) : Mr. S. Borthakur, Advocate
Ms. P. Boruah, Advocate

For the Respondent(s) : Mr. H. Das, Advocate
Ms. S. Sarma, GA, Assam

- B E F O R E -

**HON'BLE THE CHIEF JUSTICE MR. ASHUTOSH KUMAR
HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY**

28.01.2026

(Ashutosh Kumar, CJ)

We have heard Mr. S. Borthakur, learned Advocate for the appellant; Ms. S. Sarma, learned Advocate for the State and Mr. H. Das, learned Advocate for the private respondent.

A piquant situation has arisen in this case. The dispute basically is over the appointment of an Anganwadi Worker at the Purani Kalitapara Anganwadi Centre under the Dudhnoi ICDS Project in Assam.

The appellant, who hails from a Scheduled Caste (SC) community, was selected and appointed as an Anganwadi Worker in the said Anganwadi Centre in the year 2019, which selection was based on the government guidelines giving preference to such candidates who hails

from the majority community of the locality where the Anganwadi centre is located. The majority population of the area in which the Anganwadi Centre in question is located, is of the SC community. However, when the post was advertised, the Anganwadi centre was not declared to be a centre with the demography of predominantly of the members of the SC community. Thus, the appointment of the appellant was challenged by the respondent No. 6, a candidate hailing from the General/Unreserved category, who had scored marks way higher than the appellant.

The claim of the respondent No. 6 was endorsed by a Bench of this Court, leading to the remand of the matter to the authorities for fresh consideration of the candidature of the appellant and the respondent No. 6. Later, the learned Single Judge, who had heard the matter, directed for appointment of the respondent No. 6 on the position, which has led the appellant to file the present appeal.

The sole contention of the appellant is that according to the government guidelines, such Anganwadi centre with majority population of SC community should only have SC Anganwadi worker. However, predominance of the SC population in the area has not been notified, except for filing a census report of the year 2021 disclosing that more than 40% of the population attached to the said Anganwadi centre is of SC community.

The selection of the appellant for the position of Anganwadi worker was made after the selection committee itself had considered the centre to be falling in an area which was inhabited predominantly by the members of the SC community.

The learned Single Judge therefore found that the selection

committee had no authority to declare a particular centre reserved for a particular community, which power is exclusively in the domain of the Government in the Social Welfare Department, through the CDPO concerned.

Apart from this, even the statistics with respect to the demographic position of the area attached to the Anganwadi centre was of the year 2021, whereas the recruitment in question was of the year 2019, which is earlier to the census, which is the sheet-anchor of the arguments of the learned counsel for the appellant.

Awaiting the clear stand of the State in the matter, the case is adjourned to **20.02.2026**.

JUDGE

CHIEF JUSTICE

Comparing Assistant